

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

LAS MARTAS, INC.

Debtor

SUIZA DAIRY

Plaintiff,

v.

LAS MARTAS, INC; AND CONDADO 5

Defendants.

Case No. 22-02380-12

Adv Proc. 22-00062

Chapter 13

MOTION FOR VOLUNTARY DISMISSAL

TO THE HONORABLE COURT:

COME NOW, Suiza Dairy Corp. ("Suiza") through the undersigned counsel very respectfully avers and prays as follows:

The vaqueria Las Martas filed for Bankruptcy protection on August 16th, 2022. Dkt.1. Las Martas is a dairy farmer who was assigned to Suiza for milk collection. The sale of the raw milk to Suiza Dairy resulted in bi-weekly payments to be generated in favor of Las Martas.

On September 1st, 2022, Suiza filed an Interpleader complaint because Debtor and Condado 7, LLC (collectively "Claimant-Defendants") both make a claim on the funds due to Las Martas. See Adv. Proc. 22-00062.

Bankr. No. 22-02380
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Suiza requested and was granted permission to consign the funds with the Court.

Thereafter, Debtor's bankruptcy was dismissed on September 29, 2023. Dkt. 148 of main case. The order of dismissal was appealed and overturned, thus reinstating debtor's bankruptcy and the instant adversary proceeding.

Notwithstanding, matters regarding Suiza have changed in the meantime. Suiza is no longer operating or receiving milk from any dairy farmer. In fact, Suiza has not received milk from the dairy farmers in its San Juan milk processing plant since June of 2024 nor in its Aguadilla milk processing plant since November of 2024.

In fact, the last payment issued to Debtor was on June 5, 2024 while the bankruptcy was already dismissed and the appeal was pending.

Thus, the instant case has been turned moot.

WHEREFORE, Suiza respectfully requests that this Honorable Court take note of the above and grants the voluntary dismissal of the instant complaint as being moot.

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties in the case.

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RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 6th day of June of 2025.

By: /s/ Rafael A. Gonzalez Valiente

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